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Attorney for Defendant
ROBERT JAMES HANNA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT JAMES HANNA,

Defendant.

CASE NO. 2:20-CR-00006-KJM

**STIPULATION AND ORDER MODIFYING
BRIEFING SCHEDULE RE: DEFENDANT'S
MOTION PURSUANT TO 28 U.S.C. § 2255**

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under § 2255 was filed on September 8, 2022. ECF No. 41. The undersigned filed a motion to amend the pro se motion with a proposed amended § 2255 motion on September 29, 2023. ECF No. 63.

2. On September 29, 2023, the Court adopted the parties' stipulation modifying the briefing schedule pertaining to Mr. Hanna's § 2255 motion. ECF No. 65. Pursuant to the order, the

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1 government's opposition was due on October 22, 2023 and any reply by the defense was due 15 days
2 later. *Id.*

3 3. On October 19, 2023 the government filed a motion to dismiss and opposition, ECF No. 66.
4 Hence, pursuant to the current briefing schedule, the reply is due November 3, 2023.

5 4. Ms. Radekin has reviewed the government's motion to dismiss and opposition and intends to
6 file a reply; however, she needs additional time to do so. In the last 30 days, Ms. Radekin had to
7 unexpectedly negotiate a new lease for office space and move her office, which involved a significant
8 time expenditure. She also has additional current and upcoming obligations, including the following:
9 Preparing for an evidentiary hearing on a petition for resentencing to be set on November 22, 2023 in a
10 murder case, *People v. Lemmon*, Shasta County case number 11F7820; preparing motions to vacate
11 pursuant to California Penal Code section 1473.7 in two cases involving defendants with impending
12 immigration consequences – *People v. Zuniga*, Solano County case number FCR361910 and *People v.*
13 *Taya*, Sacramento County case number 19FE015804; and preparing appellant's opening brief in *People*
14 *v. Reyes*, Third D.C.A. case number F085744. In light of these circumstances, Ms. Radekin respectfully
15 requests an extension of 60 days to file the reply.
16
17

18 5. The parties have conferred and agree that a modification of the briefing schedule is warranted
19 for the above reasons. Accordingly, the parties agree to modify the briefing schedule as follows: the
20 reply brief is due **January 2, 2024**.

21 IT IS SO STIPULATED.

22 Dated: November 2, 2023

PHILLIP A. TALBERT
United States Attorney

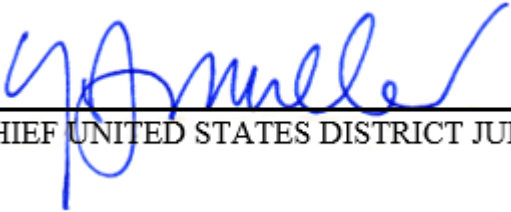
23
24 /s/ Michele Beckwith
MICHELE BECKWITH
Assistant United States Attorney

25
26 Dated: November 2, 2023

/s/ Erin J. Radekin
ERIN J. RADEKIN
Counsel for Defendant
ROBERT JAMES HANNA

ORDER

IT IS SO ORDERED this 6th day of November, 2023. Defendant's reply brief is due on or before January 2, 2024.



CHIEF UNITED STATES DISTRICT JUDGE